

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION**

MONTANA ENVIRONMENTAL  
INFORMATION CENTER,

Plaintiff,

vs.

UNITED STATES DEPARTMENT  
OF ENERGY,

Defendant.

No. CV 20-29-H-SEH

**ORDER**

A preliminary pretrial conference was held on June 30, 2020, at the Paul G. Hatfield Courthouse, Helena, Montana. Plaintiff was represented by David K.W. Wilson, Jr., Esq. Defendant was represented by Chad Spraker, Esq.

The parties having expressed optimism to be able to address and resolve significant discovery and merit resolution issues by agreement,

**ORDERED:**

1. Scheduling Order: The following schedule, established with the concurrence of the parties, will be observed:

Defendant shall produce  
“rolling monthly productions”<sup>1</sup>  
of all non-exempt records  
responsive to Plaintiff’s Freedom  
of Information Act (“FOIA”)  
request on or before:

October 2, 2020.

Objections to any records  
withheld from production  
shall be filed on or before:


October 30, 2020.

Responses to objections to  
any records withheld from  
production shall be filed  
on or before:

November 20, 2020.

2. Any unresolved issues related to records withheld from production or to Plaintiff’s claim for attorney’s fees and costs under 5 U.S.C. § 552 will be addressed if necessary and appropriate by further proceeding to be set if warranted by order of court.

DATED this 6<sup>th</sup> day of July, 2020.

  
\_\_\_\_\_  
SAM E. HADDON  
United States District Judge

---

<sup>1</sup> See Doc. 9 at 2–3.